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1058 U.S. PRO

**EXPRESS MAIL LABEL: EL378863695US
PATENT**

DOCKET NO.: N0565-00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



10/025055
12/19/01

In re patent application of: Michael Sinz and Jonathan Wurtz

For: Apparatus and Method for Merging MPEG Streams in a Headend System

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office To Addressee" service under 37 CFR § 1.10, Mailing Label Number EL378863695US, addressed to the Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on

December 19, 2001

Mary La Grange

By

Box Patent Application
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find the following:

Type of Application:

- ☒ [X] Utility (non-provisional)
- ☐ [] Divisional
- ☐ [] Continuation
- ☐ [] Continuation-In-Part (CIP)

Incorporation by Reference:

- ☐ The entire disclosure of the prior application, **from which a copy of the Oath or Declaration is supplied**, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference herein (37 CFR § 1.63(d))

Benefit of Prior U.S. Application(s) Claimed (37 CFR § 1.78):

- ☐ PLEASE ENTER THE FOLLOWING AMENDMENT TO THE SPECIFICATION UNDER THE CROSS REFERENCE TO RELATED APPLICATIONS SECTION:

- ☐ This application claims the benefit of **U.S. Provisional Application(s) No(s)**. _____, filed on _____.
- ☐ This application is a ☐ **continuation** ☐ **continuation-in-part** ☐ **divisional** of copending **U.S. Application Serial No(s)**. _____ filed on _____.
- ☐ **International Application No.** _____ filed on _____ and which designated the U.S.

Benefit of Prior Foreign Application(s):

- ☐ Priority is claimed under 35 U.S.C. § 119 of Application No. _____ filed on _____ in _____ [COUNTRY].
- ☐ A Certified Copy of each of the following application(s) for which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE

- ☐ is enclosed.
- ☐ has been filed in prior Application Serial No. 0/_____, which was filed on _____.

Application Elements Enclosed:

- ☒ 19 Pages of Specification
- ☒ 5 Pages of Claims
- ☒ 4 Sheets of Drawings
- ☐ Formal
- ☒ Informal
- ☐ Petition to Accept Photographs (37 CFR § 1.84(b)).
- ☒ 1 Page(s) of Abstract of the Disclosure

Accompanying Application Parts:

- ☐ Associate Power of Attorney
- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO 1449 (PTO/SB/08A, 08B)
- ☐ Copies of Cited References
- ☐ Nucleotide and/or Amino Acid Sequence Submission (37 CFR §§ 1.821-1.825).
- ☐ Microfiche (Appendix) (37 CFR § 1.96(c)).
- ☒ Return Receipt Postcard (itemized)

Declaration or Oath and Power of Attorney:

- ☐ New (executed original or copy).
- ☒ New (unexecuted).
- ☐ Copy from prior application (37 CFR § 1.63(d))

Deletion of Inventor(s) (37 CFR § 1.63(d)(2), 1.33(b)):

- ☐ Signed Statement deleting inventor(s) named in the prior application is attached.

Assignment:

[] An executed Assignment of the invention to: _____

Small Entity Statement:

[X] Applicant claims Small Entity status under 37 CFR 1.27.

The filing fee has been calculated as shown below:

	<u>SMALL ENTITY</u>					<u>OTHER THAN SMALL ENTITY</u>	
	<u>NO. FILED</u>	<u>NO. EXTRA</u>	<u>RATE</u>	<u>FEE</u>	<u>OR</u>	<u>RATE</u>	<u>FEE</u>
BASIC FEE				\$370	<u>OR</u>		\$740
TOTAL CLAIMS	<u>33</u> - 20 =	<u>13</u>	x 9 =	\$117	OR	x 18 =	\$
INDEP. CLAIMS	<u>3</u> - 3 =	<u>0</u>	x 42 =	\$-0-	<u>OR</u>	x 84 =	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM(S)			+140 =	\$-0-	<u>OR</u>	+280 =	\$
TOTAL				\$487	<u>OR</u>		\$

Method of Payment of Fees:

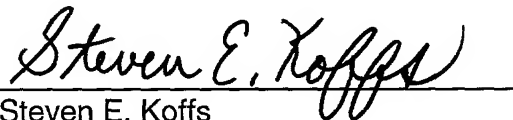
- [] No filing fee is to be paid at this time.
- [] Please charge my Deposit Account No. 04-1679 in the amount of \$____.
- [X] A check in the amount of \$ 487.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 04-1679.

Authorization to Charge Additional Fees:

NOTE: if no fees are to be paid on filing, the following items should NOT be completed.

- [x] The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to Deposit Account No. 04-1679.
- [x] Filing fees (37 CFR § 1.16(a), (f) or (g)).
- [x] Presentation of extra claims (37 CFR § 1.16(b), (c) and (d)).
- [x] Surcharge for filing the basic filing fee and/or declaration later than the filing date of the application (37 CFR § 1.16(e)).
- [x] 37 CFR §§ 1.17(a)(1)-(5) (Extension fees pursuant to 37 CFR § 1.136(a)).
- [x] Application processing fees (37 CFR § 1.17).

Date: December 19, 2001



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